

AMENDED IN SENATE AUGUST 28, 2006

AMENDED IN SENATE JULY 12, 2005

AMENDED IN SENATE JUNE 27, 2005

AMENDED IN ASSEMBLY MAY 27, 2005

AMENDED IN ASSEMBLY APRIL 27, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1547

**Introduced by Assembly Member ~~Levine~~ Members *Levine and
Emmerson***

(Principal coauthor: Senator Dutton)

February 22, 2005

An act relating to telecommunications to amend Sections 12997 and 12998 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1547, as amended, ~~Levine. Telecommunications: communications companies: state policies.~~ *Alluvial Fan Task Force.*

(1) Existing law, until January 1, 2007, requires the Alluvial Fan Task Force to develop a model ordinance on alluvial fan flooding to be made available to communities subject to alluvial fan flooding, and to prepare and submit a related report to the Legislature not later than June 30, 2006.

This bill would extend each of those dates by 2 years.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law, the Public Utilities Act, sets forth the findings and declarations of the Legislature regarding described policies for telecommunications in California.~~

~~This bill would state the intent of the Legislature to establish rules for the provision of communications services that encourage fair competition.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~
yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12997 of the Water Code is amended to
2 read:

3 12997. (a) Not later than June 30, 2005, the director shall
4 establish the Alluvial Fan Task Force with broad membership, to
5 the maximum extent possible, from local, state, and federal
6 government and other stakeholders to review the state of
7 knowledge regarding alluvial fan flood plains, determine future
8 research needs, and prepare recommendations relating to alluvial
9 fan flood plain management, with an emphasis on alluvial fan
10 flood plains that are being considered for development in
11 accordance with local general plans. The director, in consultation
12 with representatives of the Counties of San Bernardino,
13 Riverside, Los Angeles, Ventura, Santa Barbara, San Luis
14 Obispo, Kern, Orange, Imperial, and San Diego, may enter into
15 an interagency agreement with the California State University,
16 the University of California, or other appropriate agency, to
17 oversee the task force.

18 (b) The director shall determine the composition of the task
19 force. The task force may include, but need not be limited to,
20 representatives from all of the following entities or groups,
21 subject to the consent of those entities or groups:

22 (1) City and county governments in the Counties of San
23 Bernardino, Riverside, Los Angeles, Ventura, Santa Barbara, San
24 Luis Obispo, Kern, Orange, Imperial, and San Diego.

25 (2) The department.

26 (3) Other local, state, and federal government agencies and
27 stakeholders that represent relevant environmental, agricultural,
28 and construction interests.

1 (c) The Alluvial Fan Task Force shall develop a model
2 ordinance on alluvial fan flooding to be made available to
3 communities subject to alluvial fan flooding.

4 (d) The Alluvial Fan Task Force shall prepare and submit a
5 report, with findings and recommendations, to the Legislature not
6 later than June 30, ~~2006~~ 2008.

7 *SEC. 2. Section 12998 of the Water Code is amended to read:*

8 12998. This part shall remain in effect only until January 1,
9 ~~2007~~ 2009, and as of that date is repealed, unless a later enacted
10 statute, that is enacted before January 1, ~~2007~~ 2009, deletes or
11 extends that date.

12 *SEC. 3. This act is an urgency statute necessary for the*
13 *immediate preservation of the public peace, health, or safety*
14 *within the meaning of Article IV of the Constitution and shall go*
15 *into immediate effect. The facts constituting the necessity are:*

16 *In order to provide, as soon as possible, protection for*
17 *communities subject to alluvial fan flooding, thereby protecting*
18 *the public health and safety, it is necessary that this act take*
19 *effect immediately.*

20 ~~SECTION 1. The Legislature finds and declares all of the~~
21 ~~following:~~

22 ~~(a) California's regulatory paradigm for telephone services~~
23 ~~and for video services has been in place for over 50 years and~~
24 ~~does not account for new technologies that allow video, voice,~~
25 ~~and data to be delivered using a number of different technologies.~~

26 ~~(b) Today, traditional cable companies provide voice and data~~
27 ~~services along with video service; traditional telephone~~
28 ~~companies provide video and data service along with voice~~
29 ~~service; and new companies can use electric power lines,~~
30 ~~satellites, and wireless technologies to deliver video, voice, and~~
31 ~~data services.~~

32 ~~(c) With these changes in technology, companies can no~~
33 ~~longer be considered telephone companies, cable companies, and~~
34 ~~data providers, but instead need to be labeled as communications~~
35 ~~companies.~~

36 ~~(d) The public interest is served when there is widespread~~
37 ~~access to multiple providers that are competing fairly to offer~~
38 ~~communication services to consumers.~~

39 ~~(e) Fair competition requires a level playing field with respect~~
40 ~~to state-mandated obligations.~~

1 ~~(f) It is the intent of the Legislature to establish rules for the~~
2 ~~provision of communications services that encourage fair~~
3 ~~competition.~~

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